

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the matter of)	ET Docket No. 01-278
Review of Part 15 and other Parts of the)	RM-9375
Commission's Rules)	RM-10051
)	
)	
Amendment of Parts 2 and 15 of the)	ET Docket No. 95-19
Commission's Rules to Deregulate the)	
Equipment Authorization Requirements)	
For Digital Devices)	
)	

**THE INFORMATION TECHNOLOGY INDUSTRY COUNCIL'S
MOTION FOR RECONSIDERATION AND CLARIFICATION**

INTRODUCTION

ITI applauds the Commission's recent Report and Order in the matter of the Review of the Commission's Rules and Amendment of Parts 2 and 15 to Deregulate the Equipment Authorization Requirements for Digital Devices (Report and Order). The Commission's Report and Order for these matters demonstrates the Commission's continued commitment towards improving its rules to reflect the dynamic changes affecting the information technology sector. These changes will assist the information technology sector in continuing to provide innovative products to consumers by removing unnecessary and outdated requirements from another technological era.

DECLARATION OF CONFORMITY LABELING

ITI strongly supports the Commission's changes to the rules for labeling requirements including the change to the Declaration of Conformity (DoC) product

labeling requirements that removes the phrases “For Home or Office Use” from Sections 15.19(b)(1)(i) and 15.19(b)(1)(ii) and “Tested to Comply with FCC Standards” from Section 15.19(b)(1)(I). This clarification will save valuable real estate on product compliance labels that are currently crowded with a growing number of various agency compliance statements and marks. ITI also supports the changes for the label in Section 15.19(b)(1)(i) to have only the “FCC Logo” on the label.

ITI requests that the Commission make the labeling requirements effective upon publication in the Federal Register rather than 180-days following publication. We believe that this issue has been thoroughly discussed over the past several years, both through rulemakings and standards meetings, resulting in wide spread familiarity with the issues. Therefore, we see little reason to delay it any further and strongly encourage the Commission to act swiftly on this matter.

ELECTRONIC LABELING

ITI encourages the Commission to review our request to permit electronic labeling for equipment subject to DoC as it is already done for Software Defined Radios. This change will reduce costs for products which already have such displays since the identifying marks could be maintained in NVRAM and displayed on start-up, or on demand while the product is operating. Furthermore, electronic labeling may be used by the Commission for other product approval purposes such as the difficult administrative task of tracking grant notices.

ALTERNATIVE INFORMATION TO THE USER

ITI welcomes the Commission's decision to permit information technology equipment manufacturers to provide any required information to users in the same form that the user manual was originally provided. Permitting alternative methods of communicating to consumers helps reduce costs, but more importantly, also enables more flexible and rapid communications from a manufacturer advising of updates or other important user information. This change will greatly improve communications between the manufacturer and the consumer.

ITI appreciates the Commission's efforts at simplification of documentation and assumes the DoC may be provided electronically in accordance with the alternative delivery format. ITI requests that the Commission revise its Part 2.1077 Rules regarding responsible party and product identity statements to reflect the same revisions as in Parts 15.21, 15.27 and 15.105. These proposed additional changes will make the Commission's Part 2 Rules consistent with its revised Part 15 Rules.

APPROVAL OF VERY LOW-POWERED DEVICES

ITI supports the Commission's decision to eliminate the certification requirement for very low-powered intentional radiators. Certification of these low-powered devices is burdensome and unnecessary since these devices have a low potential for interference. Under the verification scheme approved by the Commission through this Order, manufacturers will test their products for compliance and maintain that information on file. Additionally, a product may be sold once it is found to comply. The result of this rule change is the faster introduction of very low-powered products. ITI encourages the

Commission to examine extending the verification process to products in higher frequency bands. ITI looks forward to working with the Commission to provide technical data to substantiate the justification for this suggestion.

ACCREDITATION OF TEST LABORATORIES

ITI commends the Commission for eliminating the requirement for accredited laboratories to file a description of the measurement facilities with the Commission. This requirement is no longer necessary because foreign laboratories already file these documents with the accredited organizations. This change will simplify the conditions under which an accredited laboratory may be accredited for testing to the Commission requirements and would improve the process of obtaining approval to use foreign laboratories, especially in cases when a manufacturer chooses to use a DoC.

ITI suggests the Commission, in accepting this change, insist that foreign regulators also accept similar accreditations from U.S. laboratories including manufacturer's laboratories. ITI requests the Commission's assistance in this matter to ensure that foreign regulators reciprocate in a similar manner, as is presently required in §2.948(d)(1) of the Rules.

MEASUREMENT STANDARDS

ITI supports the Commission's decision to update its rules by adopting the ANSI C63.4 measurement procedure from the 1992 edition to the 2001 edition. The ANSI C63.4-2001 edition provides many necessary clarifications to the measurement and configuration of equipment for testing.

Several commenters, including ITI, were very concerned when the international EMC standard, CISPR 22, and its European derivative, EN 55022, had certain requirements that would have required manufacturers of IT equipment to essentially test their equipment twice; once for compliance in the United States and a second time for compliance in Europe and other regions of the world. Testing IT products twice would have doubled the testing costs for IT equipment intended for global markets. Moreover, those requirements were not substantiated with a technical justification or proven to be effective in protecting against radiated emissions. ITI appreciates both the work of ANSI C63.4 and the assistance of the Commission's Office of Engineering and Technology in achieving the postponement of those requirements in EN 55022.

Accordingly, CISPR Subcommittee I is revising its standard to reflect the necessary corrections to the standard. CISPR Subcommittee I, the technical committee responsible for CISPR 22, will be issuing a CDV shortly that will remove the objectionable ferrite clamp requirements. Furthermore, CISPR Subcommittee I will complete its revision in 2005 that should also remedy other technical issues and remove other inconsistencies between the two standards. When these changes are made to CISPR 22, ITI encourages the Commission to permit IT manufacturers that market one product to a global marketplace to use CISPR 22 test methods for compliance. ITI looks forward to working with both ANSI C63.4 and the Commission on this issue.

CONCLUSION

ITI is pleased with the Commission's biennial review and update of its Part 2 and Part 15 Rules that reflect the changes that have taken place with regard to the

manufacture of innovative information technology equipment. The Commission has taken these important steps towards enabling U.S. IT equipment manufacturers to remain competitive in the global marketplace by providing necessary flexibility and common sense solutions. ITI recognizes these important steps, applauds the Commission's efforts and stands ready to work with the Commission on further regulatory streamlining efforts.

Respectfully submitted by

THE INFORMATION TECHNOLOGY INDUSTRY COUNCIL

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